

The Leesburg Planning Commission met on Thursday, November 6, 2003 in the Council Chambers at 25 West Market Street, Leesburg, Virginia. Staff members present for the meeting were Susan Swift, Christopher Murphy, Nancy Kitchens, Mac Willingham and Linda DeFranco

CALL TO ORDER

The meeting was called to order at 7:04pm by Vice Chairman Clem.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Present: Vice Chairman Clem
 Commissioner Bangert
 Mayor Umstattd
 Commissioner Hoovler
 Commissioner Kennedy
 Commissioner Werner
 Chairman Vaughan (8:12pm)

Absent: Commissioner Dubé

ADOPTION OF THE AGENDA

Commissioner Bangert asked that the Brothers Concrete Application be added to New Business.

Commissioner Hoovler moved that the agenda be adopted with addition as requested.

Motion: Hoovler
Second: Werner
Carried: 5-0

ADOPTION OF THE MINUTES

Commissioner Kennedy made a motion to approve the minutes from the October 16, 2003 meeting as submitted.

Motion: Kennedy
Second: Hoovler
Carried: 4-0-1

REMARKS BY PETITIONERS

None

PUBLIC HEARING

SE 2003-05 – Loudoun Motor Sports – Christopher Murphy, Senior Planner

Mr. Murphy gave an overview of the proposed Special Exception, stating that the applicant had addressed many of the conditions that were in question.

Vice Chairman Clem asked if there were any outstanding issues remaining for this site.

Mr. Murphy stated that all outstanding issues are being addressed.

Vice Chairman Clem asked if the applicant would like to speak.

Robert Sevila, the applicant's representative, mentioned that 23 items were to be addressed and that most of these had been fixed leaving nine that will be addressed in a manner acceptable to both the applicant and the town. He went on to say that this area is good for this type of business.

Commissioner Kennedy moved that the 10-day ruling be suspended to allow for a vote on this application this evening.

Motion: Kennedy
Second: Bangert
Carried: 5-0 (Vaughan absent during vote)

Commissioner Werner moved that the Commission accept SE 2003-05, Loudoun Motor Sports, to be approved subject to the nine listed conditions dated October 31, 2003.

Motion: Werner
Second: Kennedy
Carried: 5-0 (Vaughan absent during vote)

Vice Chairman Clem thanked Mr. Zoldos and Mr. Kennedy for moving this application along through the process and coming to the favorable decision.

SUBDIVISION AND LAND DEVELOPMENT

None

ZONING

SE 2002-07 – Star Pontiac & GMC – Preview – Nancy Kitchens, Senior Planner

Ms. Kitchens gave an overview of the proposed application for special exception. Essentially it involves an expansion of the current business adding service bays and sales

area. Business hours would also be extended. The way the plan is laid out, the proper buffer and screening is not provided. Staff recommended denial of this application.

Vice Chairman Clem stated that the public hearing on this application would be held in two weeks on November 20, 2003.

Commissioner Kennedy asked whether there would be further staff reports on this application.

Director Susan Swift responded that there really was no time to prepare further reports and that the applicant had ample time to make adjustments to their submission.

Commissioner Kennedy asked that the applicant have the right to speak regarding this. He stated that there was no final vote from the Commission on whether applicants could address the commission during preview meetings. He further stated that since the staff could not prepare further reports that the applicant be given the right to come forward this evening and speak.

Commissioner Hoovler asked whether this had gone through BAR review yet. Ms. Kitchens stated that this would occur further in the process.

Robert Sevila, representative for the applicant, reserved comment until Public Hearing.

Vice Chairman Clem clarified that at the last meeting Chairman Vaughan recommended that the applicant not speak at the preview, that it be primarily a staff review.

SE 2003-06 – Costco Tire Center – Preview – Christopher Murphy, Senior Planner

Mr. Murphy gave an overview of the proposed application for special exception. He went on to state that staff recommended denial of this application. The application entails moving the tire center from a standalone building in the front parking lot to one that is attached to the main building.

Mike Banzhaf, representative for Costco, spoke regarding the application. Comments will be reserved for the public hearing. Using a slide depicting the site layout, Mr. Banzhaf circled the area that was in question stating that it was outside the main building and that all of the building was approved and it is currently being built. When the plan was approved there may have been a note that should have said sales and service, but possibly only said sales. Sales are permitted to go on and the other portion was a part of the application. Basically the service installation of tires was being switched from a standalone building to be a part of the tire sales portion of the building.

Commissioner Bangert asked if this was a pad site being moved to the building, would the pad site then remain on the plan for future use? Mr. Banzhaf stated that it would remain.

Commissioner Kennedy went to Frederick, Maryland Costco and stated that the inside tire installation was a very efficient use of the space.

Susan Swift asked whether the adjacent homeowners would be notified regarding this, and the answer was that it would extend past the required adjacent property owners.

COMPREHENSIVE PLANNING

None

COUNCIL AND REPRESENTATIVE'S REPORTS

Mayor Umstattd spoke of the tornadoes that passed through Leesburg on Wednesday and some of the damage in Exeter and the Northwestern part of town. She commended the town street crews who were very quick to respond to the situation.

She went on to state that the Council recommended denial of the Brothers Concrete plant on Cochran Mill Road. The plan for a 70-foot silo prompted the denial request. The comprehensive plan for town and county reflect a more office type use for this area.

Vice Chairman Clem went on to discuss the damage and stated that he hoped that Bradford Pears were no longer part of the landscaping plan.

STAFF AND COMMITTEE REPORTS

Susan Swift requested a meeting on a comprehensive plan topic regarding the percentage of residential to commercial tax base and land use. The plan has a 60/40 ratio goal. In order to proceed, this needs to be discussed in-depth. This should be a joint meeting with the Economic Development, Environmental Advisory and the Planning Commissions. A late January date is being suggested.

Mr. Kennedy thanked Karen Jones and Bill Mitchell of the EDC. Mr. Mitchell did some research on this for his commission and Mr. Kennedy looks forward to discussing it with all of the above mentioned commissions.

Ms. Swift thanked Christopher Murphy and went on to say he did an outstanding job for his first time in reporting to the Commission.

Commissioner Werner reported that she did attend the October 28th Town Council Meeting and reported on the Sector and Visioning Sessions that have been conducted so far.

OLD BUSINESS

None

NEW BUSINESS

Commissioner Bangert asked to speak about the Brothers Concrete proposal. With regard to the public hearing held by the County on November 5, the proposal was accepted by the Planning Commission even though it did not meet their standards and it was referred back to the Land Use Committee. She went on to say that there did not seem to be any obvious communication with the Town, and would like to request Council send a recommendation to the county requesting that the Town be included in any type of items that come in from the JLMA.

Vice Chairman Clem stated that he felt this could be made to happen quite easily. There were some instances such as River Creek where there was no communication with the town. An effort needs to be made to recapture the dialog between the two governments in the Urban Growth area.

The land use committee will have a hearing November 12 at 4pm. Commissioner Bangert intends to speak at this hearing and still wants a resolution from Council asking that the Town be included in all JLMA applications.

Commissioner Kennedy asked if Council planned to have someone present at this hearing. Susan Swift stated that Councilmember Kramer had planned to attend the November 5 meeting but was unable to because of the storms that passed through. Mr. Kennedy asked if she planned to attend this November 12 meeting.

Mayor Umstattd stated that she was told the town had received a referral on this application. Ms. Swift replied that apparently some notification had come in last April regarding this application, but was somehow misplaced or not received. Comments were made once it was discovered that the property was adjacent to some town owned property, however not in time to be heard by the Planning Commission. She went on to say that she feels there was not a procedure in place to include the town since previously the town would not regularly comment on the county land use.

Commissioner Werner stated that the Planning Commission be in closer contact with the County Planning Commission, and that we should make sure that we are on the County contact sheet.

Commissioner Kennedy, made a comment on the use of electronic correspondence to keep everyone on the same page. He stated that he has not seen the comments relating to this decision.

Mayor Umstattd asked whether a formal vote should be taken to appoint Commissioner Bangert the official representative of the Planning Commission. The ensuing discussion was that a vote was not necessary, but that both the Commission and the Council should be represented at the upcoming county meeting.

MINUTES LEESBURG PLANNING COMMISSION NOVEMBER 6, 2003

Commissioner Kennedy made a motion that Commissioner Bangert go to represent to the Land Use Committee the unanimous decision to oppose this land use plan.

Motion: Kennedy
Second: Hoovler
Carried: 5-0

Commissioner Bangert asked if the Council was going to formally request inclusion in the referral process. Mayor Umstattd mentioned technically this does occur.

Commissioner Kennedy congratulated Vice Chairman Clem on his election to the County Board of Supervisors.

ADJOURNMENT

The motion was made to adjourn at 8:13pm

Prepared By:

Approved By:

Linda DeFranco, Commission Clerk

James Clem, Vice Chairman